

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR GENETIC ANALYSIS OF APOE DNA AND USES THEREOF, the specification of which:

- is attached hereto.  
 was filed on October 25, 2000 as Application Serial No. 09/697,013 and was amended on \_\_\_\_\_  
 was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/206,613	May 23, 2000	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Anita L. Meiklejohn, Reg. No. 35,283  
Timothy A. French, Reg. No. 30,175

John W. Freeman, Reg. No. 29,066  
John F. Hayden, Reg. No. 37,640

Address all telephone calls to ANITA L. MEIKLEJOHN, PH.D. at telephone number (617) 542-5070.

Address all correspondence to ANITA L. MEIKLEJOHN, PH.D. at:

FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804



Attorney's Docket No.: 11926-022001  
Client's Ref. No.: 0015.UTL1

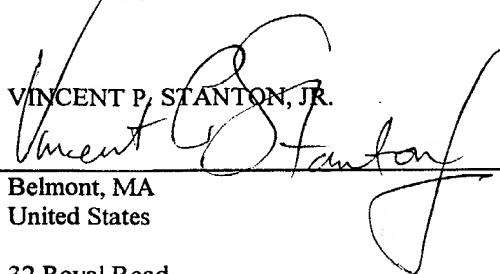
**Combined Declaration and Power of Attorney**  
Page 2 of 2 Pages

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor:

VINCENT P. STANTON, JR.

Inventor's Signature:

  
Belmont, MA  
United States

Date: Feb 26, 2001

Residence Address:

Citizenship:

Post Office Address:

32 Royal Road  
Belmont, MA 02178

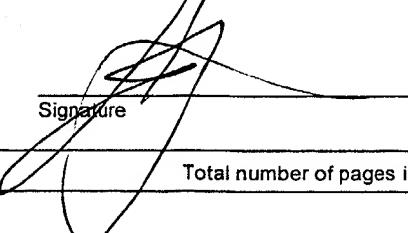
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Substitute Form PTO-1595  
 Attorney Docket No.: 11926-022001  
 Client's Ref. No.: 0015.UTL1

## RECORDATION FORM COVER SHEET PATENTS ONLY

Commissioner for Patents: Please record the attached original document(s) or copy(ies).

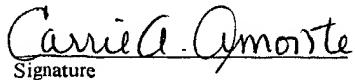
1. Name of conveying party(ies): Vincent P. Stanton, Jr. Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): VARIAGENICS, INC. 60 Hampshire Street Cambridge, Massachusetts 02139 United States of America
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:  Execution Date: February 26, 2001	Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s).: <u>09/967,013</u> <u>09/697,013</u>	B: Patent No(s).:  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Name/address of party to whom correspondence concerning document should be mailed:  ANITA L. MEIKLEJOHN, PH.D. Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804	6. Total number of applications/patents involved: 1
	7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.
	8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
<b>DO NOT USE THIS SPACE</b>	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>	
Anita L. Meiklejohn, Ph.D. <u>Reg. No. 35,283</u> Name of Person Signing	
Signature  <u>1 MARCH 2001</u> Date	
Total number of pages including coversheet, attachments and document: 3	

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### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Washington, D.C. 20231.

March 1, 2001  
 Date of Deposit

  
 Signature

Carrie A. Amonte  
 Typed Name of Person Signing Certificate

ASSIGNMENT

For valuable consideration, I, VINCENT P. STANTON, JR. of 32 Royal Road, Belmont, MA 02178, hereby assign to:

VARIAGENICS, INC.

a Delaware corporation having a place of business at:

60 Hampshire Street  
Cambridge, Massachusetts 02139  
United States of America

and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled METHOD FOR GENETIC ANALYSIS OF APOE DNA AND USES THEREOF, filed October 25, 2000, and assigned U.S. Serial Number 09/697,013, and I authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge MA,  
this 26<sup>th</sup> day of February, 2001  
Vincent P. Stanton Jr. L.S.  
VINCENT P. STANTON, JR.

State of Massachusetts :

: ss.

County of Middlesex :

Before me this 26<sup>th</sup> day of February, 2001, personally  
appeared VINCENT P. STANTON, JR. known to me to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he executed the same as his free  
act and deed for the purposes therein contained.

Daniel E. Gove.

Notary Public

My Commission Expires:

October 13, 2006

[Notary's Seal Here]